

July 15, 2003 CPC  
August 27, 2003 BS



STAFF'S  
REQUEST ANALYSIS  
AND  
RECOMMENDATION

03SN0294

Affordable Residences CHFD II

Bermuda Magisterial District  
Off the west line of Jefferson Davis Highway

REQUEST: Rezoning from Multifamily Residential (R-MF) to Community Business (C-3).

PROPOSED LAND USE:

Commercial uses are planned.

PLANNING COMMISSION RECOMMENDATION

RECOMMEND APPROVAL.

STAFF RECOMMENDATION

Recommend approval for the following reasons:

- A. The proposed zoning and land uses complies with the Jefferson Davis Corridor Plan, which suggests the property is appropriate for general commercial use.
- B. The proposed zoning and land uses are compatible with existing and anticipated area development.
- C. The development standards of the Zoning Ordinance will further ensure land use compatibility with area development.

(NOTE: THE ONLY CONDITION THAT MAY BE IMPOSED IS A BUFFER CONDITION, THE PROPERTY OWNER MAY PROFFER OTHER CONDITIONS. THE CONDITIONS NOTED WITH "STAFF/CPC" WERE AGREED UPON BY BOTH STAFF AND THE

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COMMISSION. CONDITIONS WITH ONLY A "STAFF" ARE RECOMMENDED SOLELY BY STAFF. CONDITIONS WITH ONLY A "CPC" ARE ADDITIONAL CONDITIONS RECOMMENDED BY THE PLANNING COMMISSION.)

### GENERAL INFORMATION

#### Location:

Off the west line of Jefferson Davis Highway, at Bensley Commons Boulevard. Tax ID 789-678-Part of 8292 (Sheet 18).

#### Existing Zoning:

R-MF with Conditional Use Planned Development

#### Size:

0.9 acre

#### Existing Land Use:

Vacant

#### Adjacent Zoning and Land Use:

North - R-7; Single family residential

South - R-MF with Conditional Use Planned Development; Multifamily residential

East - R-MF with Conditional Use Planned Development and C-3; Commercial

West - R-MF with Conditional Use Planned Development; Vacant

### UTILITIES

#### Public Water System:

There is an existing eight (8) inch water line extending along Bensley Commons Boulevard, adjacent to this site. Use of the public water system is required by County Code.

#### Public Wastewater System:

There is an existing eight (8) inch wastewater collector extending along the eastern and northern boundary of this site. Use of the public wastewater system is required by County Code.

## ENVIRONMENTAL

### Drainage and Erosion:

The property drains southeast through an existing storm-sewer system to a tributary of the James River. There are no existing or anticipated on- or off-site drainage or erosion problems.

## PUBLIC FACILITIES

### Fire Service:

The Bensley Fire Station, Company Number 3, currently provides fire protection and emergency medical services (EMS). This request will have minimal impact on fire and EMS services.

### Transportation:

This request is anticipated to have a minimal impact on the existing transportation network.

## LAND USE

### Comprehensive Plan:

Lies within the boundaries of the Jefferson Davis Corridor Plan which suggests the property is appropriate for general commercial use.

### Area Development Trends:

Area development is characterized by commercial uses along the Jefferson Davis Highway frontage and residential or vacant properties off of the Corridor.

### Zoning History:

On April 10, 1963, the Board of Supervisors granted zoning approval to allow the development of multifamily units on property that included the request property (Case 63-29). Subsequently, Park Lee Garden Apartments were developed on that property.

On March 26, 1997, the Board of Supervisors, upon a favorable recommendation from the Planning Commission, granted zoning approval to allow the development of multifamily units on property that included the request property (Case 97SN0180). The intent of Case 97SN0180 was to demolish the Park Lee Garden Apartments and build another multifamily development at a lower density. Subsequently, the Winchester Green multifamily complex was developed on most of the property. The request site remains vacant.

### Development Standards:

Currently, the request property lies within the Jefferson Davis Highway Northern Area Post Development Area. The purpose of the Post Development Area standards is to provide flexible design criteria in areas that have already experienced development and ensure continuity of development. Redevelopment of this site or new construction must conform to the requirements of the Zoning Ordinance, which address access, parking, landscaping, architectural treatment, setbacks, signs, buffers, utilities and screening of dumpsters and loading areas.

### Buffers and Screening:

The Zoning Ordinance requires that solid waste storage areas (i.e., dumpsters, garbage cans, trash compactors, etc.) on property which is adjacent to an R or R-MF district be screened from view of such district by a masonry or concrete wall which is constructed of comparable materials to, and designed to be compatible with, the principal building that such area serves. In addition, such area within 1,000 feet of any R or R-MF district must not be serviced between the hours of 9:00 p. m. and 6:00 a. m.

Further, sites must be designed and buildings oriented so that loading areas are screened from adjacent properties where loading areas are not permitted and from public rights of way.

With the approval of this request, outside storage would be permitted as a restricted use. Outside storage areas must be screened from view of adjacent properties where such areas are not permitted and from public rights of way.

Adjacent properties to the north and west are zoned Residential (R-7) and Multifamily Residential (R-MF), respectively, and are occupied by a single family residence or remain vacant. The Zoning Ordinance requires a minimum twenty-five (25) foot buffer along the northern and western property boundaries of the request site.

### CONCLUSIONS

The proposed zoning and land uses complies with the Jefferson Davis Corridor Plan which suggests the property is appropriate for general commercial use. In addition, the proposed zoning and land uses are compatible with existing and anticipated area development. The development standards of the Zoning Ordinance will further ensure land use compatibility with area development.

Given these considerations, approval of this request is recommended.

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## CASE HISTORY

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**Planning Commission Meeting (7/15/03):**

The applicant accepted the recommendation. There was no opposition present.

On motion of Mr. Cunningham, seconded by Mr. Gulley, the Commission recommended approval of this request.

**AYES:**           Unanimous.

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The Board of Supervisors, on Wednesday, August 27, 2003, beginning at 7:00 p. m., will take under consideration this request.

